

Honorable James L. Robart

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

BEET, INC., a Washington corporation,
RICHARD ROBB, SR., an individual, and
DAVID ROBB, an individual,

Plaintiffs,

v.

VASILIOLOTOV, an individual,
Defendant.

Case No. C09-1743 JLR

[PROPOSED] ORDER

This matter having come before the Court on the motion of plaintiffs Beet, Incorporated, Richard Robb, Sr., and David Robb (“Plaintiffs”) for leave to voluntarily dismiss Plaintiffs’ claims and to dismiss all counterclaims of Defendant Vasilio Zolotov (the “Motion”).

The Court, having considered Plaintiffs’ Motion, the accompanying declaration and the pleadings previously filed herein, FINDS:

1. Good cause exists for the Court to grant leave to Plaintiffs to voluntarily dismiss their claims;

2. Defendant does not raise any federal claims in his counterclaims against Plaintiff; and

3. Defendant will not be legally prejudiced by the dismissal of all claims and counterclaims in this matter; and

4. State court is the proper forum for litigating the claims arising from this dispute.

1 THEREFORE, it is hereby ORDERED that:

- 2 1. Plaintiffs' Motion is GRANTED.
- 3 2. Plaintiffs' claims are voluntarily dismissed without prejudice; and
- 4 3. Defendant's counterclaims are dismissed without prejudice.

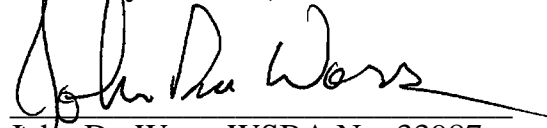
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6 DONE on this ____ day of _____, 2010

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9 _____
Honorable Judge James L. Robart

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11 Respectfully Submitted,

12 **Newman & Newman,**
13 **Attorneys at Law, LLP**

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